

REMARKS

Claims 1-28 are pending in the present application.

As stated on pages 2-3 of the, Office Action, the Examiner has required election in the present application between:

Group I, claims 1-6 and 27;

Group II, claims 7-10;

Group III, claims 11-13;

Group IV, claim 14;

Group V, claim 15;

Group VI, claim 16;

Group VII, claims 17-19;

Group VIII, claims 20-23;

Group IX, claim 24;

Group X, claims 25-26; and

Group XI, claim 28.

For the purpose of examination of the present application, Applicants elect, with traverse, Group I, claims 1-6 and 27, directed to the hair treatment composition¹. Claims 1-6 and 27 are readable upon the elected subject matter.

¹ The claims as amended on May 17, 2006, recite a "composition" and not an "agent" as stated in the Office Action.

Reply to Restriction and Election of Species Requirements

Applicants traverse as there is no undue burden to search other Groups, especially when the claims from other groups depend on claim 1 (which is a part of the elected Group I).

The Examiner has also required an election of species (see pages 5-7 of the Office Action) in the present application. **For the purpose of examination of the present application, Applicants elect the species of Example 1** (claims 1-6 and 27). As acknowledged by the Examiner, at least claim 1 is generic. Applicants note that with the election of Group I, further election of species (3)-(8) is not needed. Regarding (1) and (2), Applicants also add the following information.

A random copolymer as synthesized in Synthesis Example 1 is used for Example 1. The four kinds of methacrylate monomers can be seen from Synthesis Example 1, wherein the methacryloyl-one end terminated organopolysiloxane having the formula (9) is copolymerized with the other monomers, thus forming a random copolymer in which the organopolysiloxane chain is a state of being grafted to the backbone chain of the copolymer.

Also, regarding (2), Applicants elect a hair spray (see Markush group in claims 1 and 27).

An early and favorable action on the merits is respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Eugene T. Perez, Registration No. 48,501, at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Application No.: 10/553,205

Docket No.: 5521-0118PUS1


Art Unit 1618

Reply to Restriction and Election of Species Requirements

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: September 21, 2009

Respectfully submitted,

By  #48,561
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